

TOWN OF HOPEDALE – ANNUAL TOWN MEETING WARRANT

Tuesday, May 19th, 2009 at 7:00 o'clock in the evening
in the Dennett Auditorium of the Junior/Senior High School

Worcester SS: To the Constables in the Town of Hopedale in the County of Worcester.

Greetings: In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Hopedale qualified to vote in town affairs to meet in the Dennett Auditorium of the Junior/Senior High School on Tuesday, May 19th, 2009, at 7:00 o'clock in the evening then and there to act on the following articles:

Article 1: To see if the Town will vote to hear and act upon the report of the Selectmen and other offices, departments, or committees of said town, or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: This article allows the Board of Selectmen and other officers of the town to present a report of their activities to the members of the Town Meeting.

Article 2: To see if the Town will vote, pursuant to M.G.L. c.41, §108 to fix the annual salary and compensation for each elected Town officer and further to see if the Town will vote to fix the annual compensation for special appointed officials for his/her service in fiscal year 2010, or take any other action related thereto.

Town Moderator (1)	\$ 200
Board of Selectmen (3)	\$ 5,850
Town Clerk (1)*	\$32,905
Road Commissioners (3)	\$ 1,980
Board of Health (3)	\$ 1,665
Park Commissioners (3)	\$ 1,440
Water/Sewer Commissioners (3)	\$ 1,980
Tree Warden (1)	\$ 900
Planning Board (5)	\$ 3,330
Board of Assessors (3)	\$ 1,665
Board of Registrars (3) appt.	\$ 1,600
Clerk to Registrars (1)	\$ 500
Zoning Board of Appeals (5) appt.	\$ 2,340
Finance Committee (9) appt.	\$ 4,140
School Committee (5)	\$ 4,950
Conservation Committee (5)	\$ 2,300
Library Trustees (3)	\$ 1,440

*Town Clerk is paid weekly; all others twice per year

Submitted by: Board of Selectmen

Commentary: This article will fix the annual compensation for elected and appointed official, while the actual funding takes place in articles to follow.

Article 3: To see if the Town will vote to raise and appropriate through assessments provided under M.G.L. c. 83, §16, and to be collected under M.G.L. c. 44, §53E bond issue payments of \$69,456.00 for the Sewer Department, or take any other action related thereto.

Submitted by: Water and Sewer Commissioners

Commentary: This article funds an amount necessary to pay the annual bond payment for improvements to the Sewer Treatment Plant made back in 1984.

Article 4: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of monies into and/or out of the Stabilization Fund as provided under M.G.L. c. 40, §5B, or take any other action related thereto.

Submitted by: Finance Committee

Commentary: This Article will require a 2/3rd's majority vote.

Article 5: To see if the Town will vote to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding a hazardous waste collection day and recycling program to include composting and yard waste and other related costs, which fund shall be credited with receipts from the Board of Health to be expended under the authority of the Board of Health, such expenditures not to exceed \$30,000.00 for the fiscal year 2010; or take any other action related thereto.

Submitted by: Board of Health

Commentary: This Article will allow the Board of Health to use receipts collected in conjunction with the existing Recycling and Hazardous Waste Collections to fund both operations moving forward during fiscal year 2010 and allow for those unexpended funds to remain in the account at the end of the fiscal year.

Article 6: To see if the Town will vote to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding the operating costs of the animal control division of the Hopedale Board of Health, which fund will be credited with receipts for the boarding of stray animals, fines for violations, and the licensing of animals, to be expended under the authority of the Board of Health, such expenditures not to exceed \$15,000.00 for the fiscal year 2010; or take any other action related thereto.

Submitted by: Board of Health

Commentary: This Article will allow the Board of Health to use receipts collected in conjunction with the existing Animal Control function to fund operations moving forward during fiscal year 2010 and allow for those unexpended funds to remain in the account at the end of the fiscal year.

Article 7: To see if the Town will vote to authorize the Conservation Commission to spend without further appropriation in accordance with M.G.L. c. 131, §40 certain sums as received in filing fees from prior fiscal years, for the fiscal year 2010, or take any other action related thereto.

Submitted by: Conservation Commission

Commentary: This Article will allow the Conservation Commission to use receipts collected in conjunction with filing fees on expenditures deemed necessary without further appropriation during fiscal year 2010.

Article 8: To see if the Town will vote to authorize the Treasurer to borrow up to the sum of \$132,448.00 in anticipation of Chapter 90 State reimbursement funds for the purpose of providing road paving/improvement projects, or take any other action related thereto.

Submitted by: Road Commissioners

Commentary: This Article will allow the Treasurer to borrow up to the total amount certified by the state for Hopedale Chapter 90 funds for fiscal 2010.

Article 9: To see if the Town will vote, pursuant to Town Bylaw, Chapter XXII-B, The Personnel Administration Bylaw, to adjust the percentage applicable to the compensation plan, or take any other action related thereto.

Submitted by: Personnel Committee

Commentary: This article will adjust the salary grade levels for all non union employees employed by the town, but, outside the school system.

Article 10: To see if the Town will vote to raise and appropriate, borrow, or transfer from available Treasury funds, such sums of money as deemed necessary to defray Town charges for fiscal Year 2010 as contained in the Finance Committee Budget Report, or take any other action related thereto.

Submitted by: Finance Committee

Commentary: This is the principle funding article which will set the spending limits for most departments not funded by offset receipts.

Article 11: To see if the Town will vote a sum of money to be authorized to fund the Water Department Budget by offset receipts, or take any other action related thereto.

Submitted by: Water and Sewer Commissioners

Commentary: This is the principle money article which will fund the operations of the Water Department completely from offset receipts.

Article 12: To see if the Town will vote a sum of money to be authorized to fund the Sewer Department Budget by offset receipts, or take any other action related thereto.

Submitted by: Water and Sewer Commissioners

Commentary: This is the principle money article which will fund the operations of the Sewer Department completely from offset receipts.

Article 13: To see if the Town will vote a sum of money to be authorized to fund the Ambulance Department Budget by offset receipts, or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: This is the principle money article which will fund the operations of the Ambulance Department completely from offset receipts.

Article 14: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to pay the Town's annual assessment of costs and expenses of the Central Massachusetts Regional Planning Commission District, or take any other action relative thereto.

Submitted by: Board of Selectmen

Commentary: The anticipated amount is \$1,423 and represents the dues the town pays annually to the Central Massachusetts Regional planning Commission.

Article 15: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of money for the Town's net operating and capital assessment for the Blackstone Valley Vocational Regional High School, or take any other action in relation thereto.

Submitted by: Blackstone Valley Vocational Regional School District

Commentary: The anticipated amount is \$208,106 which is inclusive of \$14,103 for the debt service associated with Hopedale's previously (2001) voted amount for the districts addition/renovation project

Article 16: To see if the Town will vote to authorize the use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding and operating the Hopedale Cable Advisory Board and other related costs, which fund shall be credited solely with receipts from Comcast pursuant to Sections 5.2(a) and 5.2(b) of the renewal license dated January 9, 1999 to be expended under the authority of the Hopedale Cable Advisory Committee, such expenditures not to exceed \$85,000.00 for the fiscal year 2010; or take any other action related thereto.

Submitted by: Cable advisory Committee

Commentary: This Article will allow the Cable Advisory Committee to use receipts collected in conjunction with the existing Hopedale Cable Advisory Committee to fund operations moving forward during fiscal year 2010 and allow for those unexpended funds to remain in the account at the end of the fiscal year.

Article 17: To see if the Town of Hopedale will vote to increase the availability of tax exemptions to senior citizens owning real property pursuant to M.G. L. Ch. 59 §5, Clause 41C, as authorized under Section 51 of Chapter 184 of the Acts of 2002 of the General Court, by approving an increase in the value of the tax exemption, currently \$4,946.66.00 in valuation or \$620.40, whichever is greater, to \$5,119.80 in valuation or \$642.11, whichever is greater, or take any other action relative thereto.

Submitted by: Assessors

Commentary: This will increase the amount qualifying seniors receive toward their fiscal year 2010 tax bill.

Article 18: To see if the Town of Hopedale will vote to increase the amount of the tax exemptions granted to surviving spouse, minor child or elderly person owning real property pursuant to M.G. L. Ch. 59 §5, Clause 17D, by approving an increase in the value of the tax exemption, from \$208.03 to \$215.31, or take any other action relative thereto.

Submitted by: Assessors

Commentary: This will increase the amount qualifying persons receive toward their fiscal year 2010 tax bill.

Article 19: To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of \$4,200 to fund One Third (1/3) of the anticipated cost of recertification of real estate and personal property values for FY2012 as required by the State Department of Revenue, or take any other action relative thereto.

Submitted by: Assessors

Commentary: This article is in anticipation of the 2012 recertification.

Article 20: To see if the Town of Hopedale will vote to accept paragraph 8 of Chapter 60A Section § 1 of the Massachusetts General Laws, inserted by Chapter 182, Section § 16 of the Acts of 2008. This will exempt from Motor Vehicle excise Massachusetts residents who are on active duty outside the country for at least 45 days of the excise calendar year. If the service member is wounded or killed in armed conflict, the exemption will apply regardless of the number of days deployed. The service member may exempt only one vehicle owned and registered for personal use.

Submitted by: Assessors

Commentary: If accepted this will be effective as of January 1, 2010.

Article 21: To see if the Town will vote transfer from Stabilization \$60,000.00 to fund the fourth year of a six-year mortgage with Louis J. Noferi as authorized by Article 20 of the April 12, 2005 Annual Town Meeting and as amended by Article 20 of the May 16, 2006 Annual Town Meeting, or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: This Article will fund the fourth year of a six year mortgage taken by the town when it purchased over 3 acres of land adjacent to the high school, from Mr. Louis Noferi in FY2006.

Article 22: To see if the Town will vote to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding a School Bus Transportation Account and other related costs, which fund shall be credited with receipts from the School Department's Transportation Fee, to be expended under the authority of the School Committee, such expenditures not to exceed \$50,000.00 for the fiscal year 2010; or take any other action related thereto.

Submitted: School Committee

Commentary: This Article will allow the School Committee to use receipts, up to a maximum of \$50,000, collected in conjunction with school busing, to fund busing operations during fiscal year 2010 and allow for those unexpended funds to remain in the account at the end of the fiscal year.

Article 23: To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, for general municipal purposes, including the purpose of reconstructing the Mill Street Bridge and associated Spindleville Pond Spillway, the fee and drainage easements and/or temporary construction easements in portions of the following parcels of land: (a) land now or formerly owned by M.C. Machine Company, and described in deeds recorded with said Deeds in Book 15928, Page 167 and in Book 15928, Page 164; and (b) land owned by owners unknown and/or the Town of Hopedale, located on Mill Street and as may abut the river, and, further to see if the Town will vote to raise, appropriate, transfer from available funds, or borrow a sum of money for this purpose and any expenses related thereto and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, or take any other action relative thereto.

Submitted: Board of Selectmen

Commentary: This article will allow the Board of Selectmen to acquire for the town, land along and beneath the Mill River, south of the Mill Street Bridge. Ownership of this land is the last remaining portion of lands required by the state to complete a new weir as part of the Mill Street

Bridge rebuilding project. This Article will require a 2/3rd's majority vote.

Article 24: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for architectural and start up costs for the purpose of upgrading the Town Hall to become compliant with Federal Law under the Americans with Disabilities Act (ADA), or take any other action related thereto:

Submitted by: Board of Selectmen

Commentary: The current Town Hall is in need of major renovations. Currently air quality is poor, heating bills are skyrocketing because of an antiquated heating system, lack of insulation and windows that are original to the building dating back to 1888. The second and third floors are inaccessible to the public as they are not handicap accessible. This article will fund Architectural drawings sufficient to allow the town to seek a Community Development Block Grant that could fund the cost of an elevator as part of the renovation cost.

Article 25: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund a settlement between the Town of Hopedale and James Gardner, a former Hopedale Police Department employee, or take any other action related thereto:

Submitted by: Board of Selectmen

Commentary: Mr. Gardner, a former Police Officer who was injured on duty, has recently come to an agreement with the town. The two parties have recently come to an agreement as to what is owed Mr Gardner for unused time owed to him based on the date of departure.

Article 26: To see if the Town will vote to amend Chapter 320 of the General Code of the Town of Hopedale by adding a new section sequentially numbered entitled PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL to read as follows:

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C s. 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, recreation area, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned or under the control of the Town within the limits of the Town of Hopedale; or in or upon any bus or passenger conveyance operated by a common carrier; or in a motor vehicle while it is in, on or upon any public way or any way to which the public has a right of access within the limits of the Town of Hopedale, or in any place to which the public has a right of access.

This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40 s. 21, or by noncriminal disposition pursuant to G.L. c. 40 s. 21D, by the Board of Selectmen or their duly authorized agents, or any police officer. Whoever violates the provisions of this section shall be punished by a fine not exceeding One Hundred Dollars (\$100) for the first offense; Two Hundred Dollars (\$200) for the second offense; and Three Hundred Dollars (\$300) for any third or subsequent offense. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under G.L. c. 94C s. 32L; or take any other action related thereto.

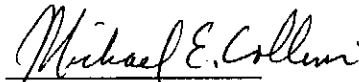
Submitted: Board of Selectmen

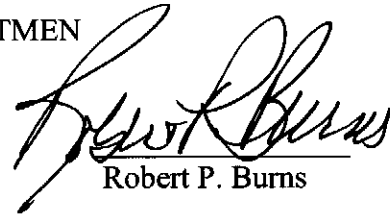
You are hereby directed to serve this Warrant by posting attested copies thereof at three public places in different parts of the Town not less than seven days before the holding of said meeting Hereof fail not to make the due return of the meeting aforesaid.

Given under our hands this 4th day of May 2009.

HOPEDALE BOARD OF SELECTMEN


Alan J. Ryan


Michael E. Collins
Chairman


Robert P. Burns

A True Copy, ATTEST:

Posted in the Town Hall, Community House, Library and Post Office Lobby.

Constable

Date